

REMARKS

Claims 30-50 are presently pending in the instant application. Of these, the Examiner has objected to claim 40 due to informalities. The Examiner has also rejected claims 30-42, 44, and 45 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,493,871 issued to McGuire et al. (hereinafter McGuire), in view of OraRel (Oracle8i Release Notes, Release 3 for Windows NT, 11/16/200 (hereinafter OraRel), and further in view of U.S. Patent No. 6,457,142 issued to Klemm et al. (hereinafter Klemm). Additionally, the Examiner has rejected claims 43 and 46-50 under 35 U.S.C. 103(a) as allegedly being unpatentable over McGuire in view of Klemm and further in view of OraRel. Claims 30, 31, 35, 38-43, and 45-50 have been amended. Claim 32 has been canceled, leaving claims 30, 31, and 33-50 for consideration. The Applicants traverse the outstanding rejections and submit that claims 30, 31, and 33-50 are in condition for allowance for at least the reasons presented herein. No new matter has been entered.

Claim Objections

Claim 40 has been objected to due to informalities. The Applicants have amended claim 40 in accordance with the Examiner's suggestions and believe that the amendment to claim 40 sufficiently overcomes the objection.

Rejections under 35 U.S.C. 103(a)

Claims 30-42, 44, and 45 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over McGuire, in view of OraRel, and further in view of Klemm. Additionally, the Examiner has rejected claims 43 and 46-50 under 35 U.S.C. 103(a) as allegedly being unpatentable over McGuire in view of Klemm and further in view of OraRel. The Applicants have canceled claim 32, traverse the outstanding rejections, and

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submit that claims 30, 31, and 33-50 are in condition for allowance for at least the reasons presented herein.

Amended claim 30 recites a system for managing computer system performance.

The system includes:

"a workstation including existing installed components, the installed components including at least one of software, hardware device, system upgrade, and a peripheral device;

a consolidated monitoring tool executing on the workstation; and

a link to a communications network;

wherein upon installing a new component or acquiring a new service for the workstation, the consolidated monitoring tool performs:

querying the workstation for an inventory of the existing installed components;

acquiring vendor contact information for the new component;

building a database of information acquired in response to the querying, the database of information including product information relating to the existing installed components, the product information including a product name, current release level, current maintenance level, and a web site address for each vendor system associated with the existing installed components;

connecting to a web site for a vendor system associated with the new component via the link;

retrieving product information relating to the new component from the web site;

verifying requirements and compatibility of the new component against the existing installed components based upon results of the retrieving and the product information relating to the existing installed components; and

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determining an optimum configuration for the workstation based upon the verifying, and configuring the workstation in accordance with the optimum configuration."

None of the cited references, namely, McGuire, OraRel, and Klemm, teach or make obvious, alone or in combination, each of the elements of Applicants' claim 30. McGuire is directed to a method and system for downloading updates to software that provide for the actual updated information (e.g., update files, patches) to be transmitted/downloaded without having to transmit all of the existing files associated with the software (Abstract; col. 1, lines 53-67; col. 4, lines 13-17). OraRel refers to Release Notes for Oracle8i, a database software user guide. While a portion of the reference deals with installation of the software, the similarities between OraRel and Applicants' claim 30 end there. The database configuration assistant feature cited by the Examiner on page 22 of the reference deals with database configuration features designed for application with respect to the software version (Oracle8i) discussed in the user guide. Thus, OraRel is not even related to the elements recited in Applicants' claim 30.

Klemm is directed to fault/performance monitoring and fault tolerance system and method for a target application without needing to access, modify or have knowledge of the source code of the target application supervised (Abstract). The invention comprises an external application supervisor intended to detect performance and reliability problems that were overlooked or not anticipated during software testing and maintenance phases and that show up during the operation phase of the program (col. 3, lines 20-25). A JAS (Java Application Supervisor) that is reusable across all Java target application programs can be parameterized by the user for the specified target application (col. 3, lines 36-39) and is configured by parameterizing a set of policy templates in a configuration file (col. 3, lines 62-3). Each policy template is associated with a specific aspect of reliability or performance of the entire target application program or a subclass of its threads or objects (col. 3, lines 64-66). As recited in claim 30, the consolidated monitoring tool, upon installation of a new component or service, queries the workstation for an inventory of the

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existing installed components, acquires vendor contact information for the new component, builds a database of information acquired in response to the queries (which includes product information relating to the existing installed components, namely, a product name, current release level, current maintenance level, and a web site address for each vendor system associated with the existing installed components), connects to a web site for a vendor system associated with the new component via the link, retrieves product information relating to the new component from the web site, verifies requirements and compatibility of the new component against the existing installed components based upon results of the retrieval and the product information relating to the existing installed components, and determines an optimum configuration for the workstation based upon the verification, and configures the workstation in accordance with the optimum configuration. Klemm does not teach or recite any of these elements but simply monitors performance of a Java target application. Accordingly, the Applicants believe that claim 30 is not rendered obvious by McGuire, OraRel, and Klemm, either alone or in combination. The Applicants respectfully request reconsideration of the outstanding rejection.

Claims 31 and 33-42 depend from what is considered to be an allowable claim 30. Accordingly, for at least this reason, the Applicants submit that claims 31 and 33-42 are in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections. Claim 45 recites a method for performing substantially the elements recited in applicants' claim 30. For at least this reason, the Applicants submit that claim 45 is also in condition for allowance.

Claims 43, 46, and 49 recite a system, method, and storage medium, respectively, for managing computer system performance. Claims 43, 46, and 49 recite "a workstation including existing installed components, the installed components including at least one of software, hardware device, system upgrade, and a peripheral device;

a consolidated monitoring tool executing on the workstation, the consolidated monitoring tool monitoring activities occurring on the workstation with respect to the existing installed components; and

a communications link to a vendor system, the vendor system supplying at least one of a component and service to the user system;

wherein upon encountering a minor error, the consolidated monitoring tool performs:

searching a database for the minor error;

displaying a corresponding explanation of the minor error for a user via translation tables stored in the workstation; and

displaying a corresponding set of action items for resolving the minor error or preventing a future occurrence of the minor error.” None of the cited references teach or suggest these elements, either alone or in combination. Accordingly, the Applicants’ submit that claims 43, 46, and 49 are not rendered obvious by McGuire, OraRel, and Klemm, either alone or in combination. Further, claim 44 depends from claim 43, claims 47-48 depend from claim 46, and claim 50 depends from 49. The Applicants submit that claims 43, 46, and 49 are in condition for allowance. For at least the reason that they depend upon allowable independent claims 43, 46, and 49 respectively, the Applicants submit that claims 44, 47, 48, and 50 are also in condition for allowance. Reconsideration and withdrawal of the outstanding claims is respectfully requested.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that claims 30-50 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested.

In the event the Examiner has any questions regarding this Amendment, Applicants' attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Amendment, Applicants' attorneys respectfully request that such fees be withdrawn from Deposit Account No. 09-0463.

Respectfully submitted,

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